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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,507	03/22/2001	Anthony D. Smith	00-483	4390
7590	08/16/2004		EXAMINER	GEREZGHIER, YEMANE M
Barry L. Kelmachter BACHMAN & LaPOINTE, P.C. Suite 1201 900 Chapel Street New Haven, CT 06510-2802			ART UNIT	PAPER NUMBER
2144				
DATE MAILED: 08/16/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/814,507	SMITH ET AL.
Examiner	Art Unit	
Yemane M Gerezgiher	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 22 March 2001.

2a) This action is FINAL.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-17 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-17 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 22 March 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \*    c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

**DETAILED ACTION**

1. This application has been examined. Claims 1- 17 are pending.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

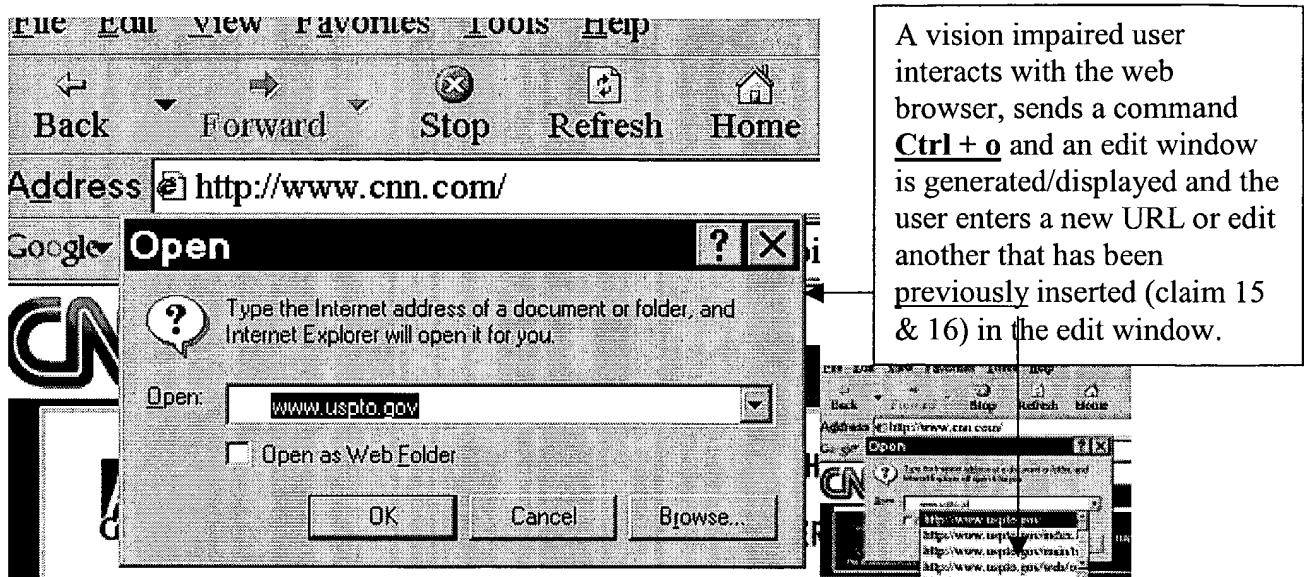
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robin M. Bennefield (Catching a View of the Web) hereinafter referred to as Bennefield in view of Usui, Hiroyuki (JP 11024646 A) hereinafter to as Usui.

As per claims 1, 8 and 17, according to the author, Bennefield disclosed the World Wide Web Consortium Web accessibility for facilitating the navigation or surfing the global communication network via an ISP (claim 7) for people who are vision impaired (*Providing an interactive means for connecting to the Internet via a web browser having a URL address window, said interactive means having an operating system which employs a cursor; connecting to said Internet using said interactive means and said web browser;*) (See ABSTRACT). Bennefield accredited the development of new methods and techniques “to help Trammell and others with vision problems, new Web-browsing software is being released and better Web sites designed. The rethinking got a further boost last month with the launch of the World Wide Web Consortium, a group of leaders in Web

technology who announced the Web Accessibility Initiative. The effort is intended to make Web navigation easier to use by all disabled individuals by funding the development of new hardware and software and supporting education programs for the disabled." See Page 1, Paragraph 6. (Displaying an edit window; retrieving a URL address from the web browser and inputting said URL address into the edit window; entering a new URL address into said edit window; and engaging said interactive means so as to cause said web browser to be communicated with said new URL address) was further described by Bennefield that "Active Accessibility is just one more reason for vision-impaired users to like Internet Explorer. The browser accepts keyboard commands such as Control-O, which pulls up a box into which a Web address is typed. Explorer also permits customizing type size and background color for each Web page. When Netscape's update of its browser, Communicator, is released this summer, it also will address the needs of vision-impaired users. Like Explorer, Communicator will let users employ the keyboard instead of the mouse and can work with downloaded screen-reading software." Where it is obviously clear that a user depressing a left button upon completing entering step (claim 2, 5, 9 and 10) and means of entering a URL address in to the edit window (Claim 6 and 14) See Page 2, Paragraph 10. According to the described technique of explorer ® and communicator ® above, the examiner provides the following Figure to better illustrate the teaching disclosed quoted above.

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According to the author, Bennefield substantially explained that the invention as claimed been disclosed by explorer ® and communicator ® browser feature of accessibility for the sight impaired. Bennefield addressed explorer ® and communicator ® eliminating the use of a mouse cursor to generate the edit window ("let users employ the keyboard instead of the mouse") See Page 2, Paragraph 10. Having said that the claimed invention involves at least three steps (1) mouse interaction to display the edit window (2) a keyboard to type an address or to edit an address and (3) an additional mouse interaction to insert and retrieve the desired content based on the specified URL address, but according to the author, Bennefield disclosed that explorer ® and communicator ® deliberately avoiding the 1<sup>st</sup> step of using a mouse command or interaction which is a step ahead, generating the same expected result (facilitating the entry of a URL for the visually impaired by generating/displaying an edit window) for a

probable reason that a sight impaired person might primarily have difficulty seeing the position of the cursor itself. Bennefield disclosed the teachings of explorer ® and communicator ® browsers facilitating entry of a URL address in to the address window based on a mouse command and preferably a keyboard command. However, Bennefield was silent about generating the edit window by specifically clicking the right button of a mouse.

An artisan now working with the teachings of explorer ® and communicator ® feature of assisting sight impaired users by creating an edit window for editing and entering desired URL/URI in to the edit window and inserting the entered URL and to retrieve the content of the requested site would have been motivated to look for teachings that may have allowed further possibilities of triggering an edit window along with the commonly used pointing devices such as mouse, tracking ball and other cursor generating means. In these arts Usui disclosed a sentence editor by creating an edit window based on a mouse command and specifically displaying an edit window at the click of mouse's right button (Claim 11). See translated ABSTRACT.

Thus, it is respectfully submitted that it would have been obvious to one of ordinary skill in the art at the time the invention was made to take the teachings of Usui related to generating/displaying an edit window upon a mouse command and have modified the teachings of Bennefield related to explorer ® and communicator ® accessibility of the Web for the sight impaired individuals in order to simplify editing and improving efficiency in surfing the Web. See Translated ABSTRACT and ADVANTAGE.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.
  - a. Kanevsky, Dimitri et al. (US 6665642 B2) entitled: Transcoding system and method for improved access by users with special needs
  - b. Crevasse, Annette Margaret et al. (US 6518987 B1) entitled: Mouse and mouse template for a motion impaired user
  - c. Barsade, Jonathan et al. (US 20020143627 A1) entitled: Network banner advertisement system and method
  - d. Vermeire, Brian Christopher et al. (US 20010044855 A1) entitled: System for accessing content
  - e. Sheldon, Michael G. et al. (US 6072486 A) entitled: System and method for creating and customizing a deskbar. Sheldon disclosed a deskbar operable through an operating system or various application programs and their associated application windows where a user were able to resize, move and delete deskbars as desired by direct manipulation.
  - f. Yeager, Carolyn Marie et al. (US 5950190 A) entitled: Dynamic, self-modifying graphical user interface for relational database applications

- g. Jefferson, Kendall J. et al. (US 5604858 A) entitled: Method and system for apparent direct editing of fixed display elements within a data processing system
- h. Usui, Hiroyuki (JP 11024646 A) entitled: Window display control method for sentence editor - involves switching display between parent and child windows using toggle switch, when sentence chosen for editing is accessed
- i. Koishi et al. (JP 10091382 A) entitled: Text editor e.g. for word processor, computer - has enlarged window moving unit which moves enlarged window, to maintain constant distance between edit location and enlarged window
- j. Harada, Hisashi (JP 07225768 A) entitled: Method and device for selectively enlarging image.

#### **NON PATENT DOCUMENTS**

- k. W3C Working Draft, "WAI Accessibility Guidelines: Browser User Interface", June 2, 1998, retrieved on Aug. 6, 2004 from  
<http://www.w3.org/WAI/UA/wd-wai-ua-browser-19980602.html>
- l. Gunderson, Jon., "World Wide Web Browser Guidelines", Feb. 13, 1997, retrieved on Aug. 6, 2004 from <<http://www.w3.org/WAI/UA/wai-browser-gl>>

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5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Yemane Gerezgiher whose telephone number is 703-305-4874. The examiner can normally be reached on Monday-Friday from 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful. The examiner's supervisor, William Cuchlinski, can be reached at (703) 308-3873.

Yemane M. Gerezgiher  
AU 2144



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